

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Juan IBARRA-GONZALEZ

Case No.

Case: 2:23-mj-30092

Assigned To : Unassigned

Assign. Date : 3/8/2023

Description: RE: JUAN

IBARRA-GONZALEZ (EOB)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 16, 2023 in the county of Washtenaw in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8 United States Code, Section 1326(a)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.Sworn to before me and signed in my presence  
and/or by reliable electronic means.Date: March 7, 2023City and state: Ann Arbor, Michigan*Complainant's signature*Trevor Brooks, Officer, DHS*Printed name and title**Judge's signature*Anthony P. Patti United States Magistrate Judge*Printed name and title*

I, Trevor Brooks being duly sworn, do hereby state:

1. I am a Deportation Officer with the United States Department of Homeland Security, United States Immigration and Customs Enforcement (ICE). I have been employed in this capacity since January 2007. Currently, I am assigned to the Fugitive Operations Program. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Immigration and Customs Enforcement Officers and record checks of law enforcement databases. I have also reviewed the Alien Registration File and system automated data relating to Juan IBARRA-GONZALEZ, which reveals the following:
2. IBARRA-GONZALEZ is a thirty-three-year-old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date without begin admitted, inspected, or paroled by an immigration officer.
3. On or about September 21, 2009, the Pittsfield Police Department arrested IBARRA-GONZALEZ for Felonious Assault. On or about November 24, 2009, IBARRA-GONZALEZ was convicted in the 14A District Court, Ann Arbor, Michigan, of Disorderly Person. He was sentenced to 63 days' in jail.
4. On or about November 30, 2009, Immigration and Customs Enforcement (ICE) encountered IBARRA-GONZALEZ unlawfully present in the United States at or near Ann Arbor, Michigan, and served him with a Notice to Appear in removal proceedings, Form I-862.
5. On or about December 07, 2009, an Immigration Judge located in Detroit, Michigan, ordered IBARRA-GONZALEZ removed to Mexico.
6. On December 15, 2009, Immigration and Customs Enforcement (ICE) removed IBARRA-GONZALEZ from Laredo, Texas to Mexico, as documented on a Warrant of Removal, Form I-205.
7. On May 05, 2010, the United States Border Patrol (USBP) encountered IBARRA-GONZALEZ unlawfully present in the United States at or near Naco, Arizona. USBP served IBARRA-GONZALEZ with a Notice of Intent/Decision to Reinstate Prior Order, Form I-871. On the same date,

USBP removed IBARRA-GONZALEZ to Mexico, as documented on a Warrant of Removal, Form I-205.

8. On January 26, 2018, the United States Border Patrol (USBP) encountered IBARRA-GONZALEZ unlawfully present in the United States at or near Farmington Hills, Michigan. USBP served IBARRA-GONZALEZ with a Notice of Intent/Decision to Reinstate Prior Order, Form I-871.
9. On June 12, 2018, the United States District Court, Eastern District of Michigan, convicted IBARRA-GONZALEZ of Unlawful Re-Entry, in violation of 8 U.S.C. §1326, and sentenced him to time served.
10. On June 27, 2018, Immigration and Customs Enforcement (ICE) removed IBARRA-GONZALEZ from Laredo, Texas to Mexico, as documented on a Warrant of Removal, Form I-205.
11. On or about September 05, 2021, the Pittsfield Police Department arrested IBARRA-GONZALEZ for operating with blood alcohol content of .08% or more. Then on or about February 08, 2023, the 14A District Court, at Ann Arbor, Michigan convicted IBARRA-GONZALEZ of Operating While Intoxicated and sentenced him to 3 days' jail and 12 months' probation.
12. On or about February 16, 2023, IBARRA-GONZALEZ was encountered unlawfully present in the United States and arrested by Immigration and Customs Enforcement officers in Ann Arbor, Michigan.
13. IBARRA-GONZALEZ's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that IBARRA-GONZALEZ is a citizen of Mexico who has been previously removed from the United States. Record checks revealed that IBARRA-GONZALEZ did not legally enter the United States after his removal, and he had not been issued any immigration documentation to allow him to enter or remain the United States. IBARRA-GONZALEZ was then served with a Reinstatement of a Prior Order of Removal, Form I-871.
14. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain

any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.

15. Review of records from the Alien File (A# XXX XXX 059) for IBARRA-GONZALEZ and queries in Department of Homeland Security databases confirm that no record exists of IBARRA-GONZALEZ obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal on June 27, 2018.
16. Based on the above information, I believe there is probable cause to conclude that IBARRA-GONZALEZ is an alien who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a).



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Trevor Brooks, Deportation Officer  
United States Department of Homeland  
Security, Immigration and Customs Enforcement

Sworn to before me and signed in my  
presence and/or by reliable electronic means.



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Honorable Anthony P. Patti March 7, 2023  
United States Magistrate Judge